

SA/AH
F.#2011R01313

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

SENTENCING SHEET

- against -

12-CR-134 (BMC)

IBRAHIM HARUN,

Defendant.

----- X -----

The government respectfully submits this sentencing sheet to inform the Court regarding the potential statutory penalties and the application of the Sentencing Guidelines to this case. The following is set forth below for informational purposes only, and forms no part of any plea agreement between the United States Attorney's Office (the "Office") and the defendant. Neither the Office nor the Court are bound by anything set forth below, and the Office reserves the right to change its position at any time.

1. COUNT ONE – Conspiracy to Murder United States Nationals – 18 U.S.C. § 2332(b)(2)
 - a. Maximum term of imprisonment: Life (18 U.S.C. § 2332(b)(2)).
 - b. Minimum term of imprisonment: 0 years (18 U.S.C. § 2332(b)(2)).
 - c. Maximum supervised release term: Life, to follow any term of imprisonment; if a condition of release is violated, the defendant

may be sentenced to up to 2 years without credit for pre-release imprisonment or time previously served on post-release supervision.

(18 U.S.C. § 3583(b) & (e)).

- d. Maximum fine: \$250,000
(18 U.S.C. § 3571(b)(3)).
- e. Restitution: In an amount to be determined by the Court.
- f. \$100 special assessment
(18 U.S.C. § 3013).
- g. Other penalties: deportation/removal.

2. COUNT TWO – Conspiracy to Bomb a Government Facility – 18 U.S.C. § 2332f

- a. Maximum term of imprisonment: Life
(18 U.S.C. § 2332f).
- b. Minimum term of imprisonment: 0 years
(18 U.S.C. § 2332f).
- c. Maximum supervised release term: Life, to follow any term of imprisonment; if a condition of release is violated, the defendant may be sentenced to up to 2 years without credit for pre-release imprisonment or time previously served on post-release supervision.
(18 U.S.C. § 3583(b) & (e))..
- d. Maximum fine: \$250,000
(18 U.S.C. § 3571(b)(3)).
- e. Restitution: In an amount to be determined by the Court.
- f. \$100 special assessment
(18 U.S.C. § 3013).
- g. Other penalties: deportation/removal.

3. COUNT THREE – Conspiracy to Provide Material Support to a Foreign Terrorist Organization – 18 U.S.C. § 2339B

- a. Maximum term of imprisonment: 15
(18 U.S.C. § 2339B).
- b. Minimum term of imprisonment: 0 years
(18 U.S.C. § 2339B).
- c. Maximum supervised release term: Life, to follow any term of imprisonment; if a condition of release is violated, the defendant may be sentenced to up to 2 years without credit for pre-release imprisonment or time previously served on post-release supervision.
(18 U.S.C. § 3583(b) & (e)).
- d. Maximum fine: \$250,000
(18 U.S.C. § 3571(b)(3)).
- e. Restitution: In an amount to be determined by the Court.
- f. \$100 special assessment
(18 U.S.C. § 3013).
- g. Other penalties: deportation/removal.

4. COUNT FOUR – Provision and Attempted Provision of Material Support to a Foreign Terrorist Organization - 18 U.S.C. § 2339B

- a. Maximum term of imprisonment: 15
(18 U.S.C. § 2339B).
- b. Minimum term of imprisonment: 0 years
(18 U.S.C. § 2339B).
- c. Maximum supervised release term: Life, to follow any term of imprisonment; if a condition of release is violated, the defendant may be sentenced to up to 2 years without credit for pre-release

imprisonment or time previously served on post-release supervision.

(18 U.S.C. § 3583(b) & (e)).

- d. Maximum fine: \$250,000
(18 U.S.C. § 3571(b)(3)).
- e. Restitution: In an amount to be determined by the Court.
- f. \$100 special assessment
(18 U.S.C. § 3013).
- g. Other penalties: deportation/removal.

5. COUNT FIVE – Unlawful use of Firearms – 18 U.S.C. § 924(c)

- a. Maximum term of imprisonment: Life
(18 U.S.C. § 924(c)(1)(B)(ii)).
- b. Minimum term of imprisonment: 30 years
(18 U.S.C. § 924(c)(1)(B)(ii)).
- c. Maximum supervised release term: Life, to follow any term of imprisonment; if a condition of release is violated, the defendant may be sentenced to up to 2 years without credit for pre-release imprisonment or time previously served on post-release supervision.
(18 U.S.C. § 3583(b) & (e)).
- d. Maximum fine: \$250,000
(18 U.S.C. § 3571(b)(3)).
- e. Restitution: In an amount to be determined by the Court.
- f. \$100 special assessment
(18 U.S.C. § 3013).
- g. Other penalties: deportation/removal.

6. COUNT SIX – Use of Explosives – 18 U.S.C. 844(h)

- a. Maximum term of imprisonment: 10 years
(18 U.S.C. 844(h)).
- b. Minimum term of imprisonment: 10 years
(18 U.S.C. 844(h)).
- c. Maximum supervised release term: Life, to follow any term of imprisonment; if a condition of release is violated, the defendant may be sentenced to up to 2 years without credit for pre-release imprisonment or time previously served on post-release supervision.
(18 U.S.C. § 3583(b) & (e)).
- d. Maximum fine: \$250,000
(18 U.S.C. § 3571(b)(3)).
- e. Restitution: In an amount to be determined by the Court.
- f. \$100 special assessment
(18 U.S.C. § 3013).
- g. Other penalties: deportation/removal.

7. Estimated Sentencing Guidelines Calculation:

- a. Estimated Offense Level:

Base Offense Level (2M6.1(c), 2A1.1)	43
Plus: Terrorism Enhancement (3A1.4(a))	+12
Plus: Grouping (2M6.1(d), 3D1.4)	+ 5
Less: Acceptance of Responsibility (3E1.1(a))	<u>-2</u>

Total Offense Level:	58
b. Estimated Criminal History Category:	VI
c. Estimated Range of Imprisonment:	Life.

Counts Five and Six are mandatorily consecutive and, as such, the defendant faces a minimum sentence of at least forty years in prison.

Dated: Brooklyn, New York
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